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INTERVENTION



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ARIZONA CORPORATION COMMISSION  
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Attorneys for Freeport-McMoRan Copper & Gold Inc.  
and Arizonans for Electric Choice and Competition

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE  
APPLICATION OF TUCSON ELECTRIC  
POWER COMPANY'S 2010 RES  
IMPLEMENTATION PLAN APPLICATION  
FOR APPROVAL OF NEW DISTRIBUTED  
ENERGY INCENTIVE

DOCKET NO. E-01933A-10-0278

**APPLICATION OF FREEPORT-  
MCMORAN COPPER & GOLD INC.  
AND ARIZONANS FOR ELECTRIC  
CHOICE AND COMPETITION FOR  
LEAVE TO INTERVENE**

Pursuant to A.A.C. R14-3-105, Freeport-McMoRan Copper & Gold, Inc. ("Freeport-McMoRan") and Arizonans for Electric Choice and Competition ("AECC") hereby apply to the Arizona Corporation Commission (the "Commission") for an Order granting Freeport-McMoRan and AECC leave to intervene in the above-captioned proceeding.

Freeport-McMoRan maintains facilities and operations within the State of Arizona, which receive electric services from Tucson Electric Power Company ("TEP"). As a large industrial user of electric services provided by TEP, Freeport-McMoRan will be directly and substantially affected by any changes to TEP's RES adjustor that may occur as a result of this proceeding.

Freeport-McMoRan's participation will not broaden the issues nor unduly delay the proceeding, except upon leave of the Commission first had and received. For the reasons

1 outlined above, Freeport-McMoRan respectfully requests that the Commission grant this  
2 Application for Leave To Intervene in this matter.

3 AECC is a coalition of energy consumers which has members who are customers  
4 of TEP. The Commission should grant AECC leave to intervene in this matter because  
5 those members of AECC who are customers of TEP will be directly and substantially  
6 affected by any changes to TEP's RES adjustor that may occur as a result of this  
7 proceeding.


8 AECC's participation will not broaden the issues nor unduly delay the proceeding,  
9 except upon leave of the Commission first had and received. For the reasons outlined  
10 above, AECC respectfully requests that the Commission grant this Application for Leave  
11 To Intervene in this matter.

12 Freeport-McMoRan and AECC request that all communications in connection with  
13 the above captioned proceeding be directed to:

14 C. Webb Crockett  
15 Patrick J. Black  
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17 3003 North Central Avenue, Ste. 2600  
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23 RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of July, 2010.

24 FENNEMORE CRAIG, P.C.

25 BY:   
26 C. Webb Crockett  
Patrick J. Black  
Attorneys for Freeport-McMoRan Copper  
& Gold Inc. and Arizonans for Electric  
Choice and Competition

1 **ORIGINAL** and 13 copies filed  
2 this 23<sup>rd</sup> day of July, 2010 with:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 **COPY** hand-delivered this 23<sup>rd</sup> day  
8 of July, 2010 to:

9 Lyn Farmer, Esq.  
10 Chief Administrative Law Judge  
11 Hearing Division  
12 Arizona Corporation Commission  
13 1200 West Washington Street  
14 Phoenix, Arizona 85007

15 Janice M. Alward, Esq.  
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